

LAW OFFICES OF CHARLES G. EVANS

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October 21, 2013

Regional Freedom of Information Officer
U.S. EPA, Region 10
Office of External Affairs
1200 6th Avenue (CEC-142)
Seattle, WA 98101

RE: Freedom of Information Act (FOIA) Request
Criminal and Civil DMC Technologies enforcement matter

Case: Weston Solutions, Inc., and Chartis Specialty Insurance Company,
Inc., v. Trucano Construction Company and Fidelity and Deposit
Company of America, United States District Court for the Eastern
District of Pennsylvania, Case No. 2:13-cv-04318-MB

Dear Region 10 FOIA officer:

I represent Fidelity and Deposit Company of Maryland ("F&D") with respect to the above captioned matter.

The law suit pertains to environmental clean-up work by Weston Solutions, Inc. ("Weston") in Port Heiden, Alaska in the period between January 1, 2004 and the present. Certain environmental work that occurred in 2009 is cited in the lawsuit against F&D and Trucano Construction Company ("Trucano"), but the related facts and projects commence as early as 2004.

Pursuant to the Freedom of Information Act (5 USC 552) and the Privacy Act (5 USC 552a), Fidelity requests all of the records the EPA has related to their investigation of the Air Force Center for Engineering and the Environment Port Heiden Clean-up Project, at Port Heiden RSS, Alaska, including but not limited to:

1. All documents related to Weston Solutions, Inc.;
2. All documents related to DMC Technologies;
3. All documents related to Dan McNair;
4. All documents related to the Class III Landfill;
5. All documents referencing and related to Contract No. F41624-03-D-8622, TO 14, Project No. TNYH20047101 in approximately 2004;
6. All documents referencing and related to Contract F41624-03-D-8622, TO 14, Project No. TNYH 20047101 in 2006;
7. All documents referencing and related to the 2009-2011 Contract TNYH 20077201 and TNYH 20087201 and Contract No. FA8903-04-D-8681, Task Order 0305/0334 Project Nos. TNYG 20077201 and TNYH 20087201;
8. All Engineering evaluations and analysis;
9. All Chemist review, evaluations and reports.

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For the purpose of this request, "documents and information" includes both paper and electronic or other forms of information. Examples of information subject to this request include, but are not limited to, notebooks, word processing documents, memoranda, diaries, handwritten notes, facsimiles, journal entries, drafts and copies, email, electronic documents, databases, calendars, reports, microfiche, notes, electronic tapes, spreadsheets, accounting and financial data, images (photographs, PDF, JPEG, FPX, GIF, TIFF, TIF, etc.), PowerPoint presentations, meeting materials, agendas, .pst files, instant messages, websites and web-data, voicemail transcripts, photographs and other images, and includes both active and archived files.

Please contact me for how best to duplicate and transmit the documents. Please estimate the costs and time required by this request. Thank you for your assistance and cooperation.

Sincerely,



Charles G. Evans
Attorney for Fidelity and Deposit Company of
Maryland

CGE:ar
cc: John Downes
811.6000